

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

LAWRENCE R. BURFITT,	:	Case No. 1:19-cv-781
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Michael R. Barrett
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
BRION LAWLESS, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

This matter is before the Court following Judge Barrett’s Order of Reference appointing the undersigned to “conduct an evidentiary hearing [to determine] whether Defendants’ action would deter a person of ordinary firmness from proceeding through the grievance process which would render the administrative procedures unavailable under *Does 8-10 v. Snyder*, 945 F.3d 951, 961 (6th Cir. 2019).” (Doc. #47) (internal quotation marks omitted). In response, Defendants filed a Motion to Stay Dispositive Motion Deadline, which requests that the dispositive motion deadline be stayed pending the evidentiary hearing and the undersigned’s determination as to whether Plaintiff exhausted his administrative remedies prior to filing this case. (Doc. #48).

For good cause shown, Defendants’ Motion to Stay Dispositive Motion Deadline (Doc. #48) is **GRANTED**. Further, in preparation for the evidentiary hearing, a teleconference before the undersigned is set for **Wednesday, April 20, 2022 at 10:00 a.m.** Accordingly, Toledo Correctional Institution shall make Plaintiff Lawrence R. Burfitt, #A604092, available for the teleconference on **Wednesday, April 20, 2022 at 10:00 a.m.** The teleconference shall proceed

under the terms and conditions set by the rules of the Toledo Correctional Institution and on the following conditions:

1. Counsel for Defendants must immediately contact the appropriate officials at the Toledo Correctional Institution (i) to finalize and otherwise arrange for Plaintiff to be present and able to participate in the teleconference on **Wednesday, April 20, 2022 at 10:00 a.m** and (ii) to effect advanced notice to Plaintiff of the date and time when the teleconference will occur; and
2. Please call 888-363-4735. The access code is 6287286. The security code is 123456. If the parties have any questions, please call Chambers at 937-512-1620.

IT IS SO ORDERED.

April 5, 2022

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge